

The Committee of Council submit for the consideration of
His Honour the Lieutenant-Governor a Bill intituled

An Act to amend the "Fire Marshal Act."

and advise that the same be transmitted by Message to the
Legislative Assembly.

Victoria, Seventh day of November, A.D. 1923.

John Oliver
Presiding Member of the Executive Council.

Approved this Seventh day of November, A.D. 1923.

W. Mitchell
Lieutenant-Governor.

W. Minch
Lieutenant-Governor.

HON. ATTORNEY-GENERAL.

BILL.

No. 8.]

[1923.

An Act to amend the "Fire Marshal Act."

1921 (2nd Sess.),
c. 15; 1922, c. 26.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. This Act may be cited as the "Fire Marshal Act Amendment Act, 1923." Short title.

2. Section 10 of the "Fire Marshal Act," being chapter 15 of the Statutes of 1921 (Second Session), is amended by inserting after the word "paid," in the first line of subsection (5), the words "out of the Fire Marshal Act Fund." Amends s. 10.

3. Section 13 of said chapter 15 is amended by striking out the words "moneys appropriated for the expenses of administration under this Act" in the last two lines of subsection (4), and substituting therefor the words "Fire Marshal Act Fund." Amends s. 13.

4. Section 17 of said chapter 15 is amended as follows:— Amends s. 17.
(1.) By striking out clause (a) of subsection (1), and substituting therefor the following:—

"(a.) In case the building or premises are of poor construction or in a state of disrepair, fire starting therein might spread so rapidly as to endanger other buildings or property."

(2.) By adding the following as subsection (3):—

"(3.) The cost of complying with any order shall, in the absence of any agreement to the contrary, be borne by the owner, and where by reason of the default of the owner the occupier pays the cost he shall have a right of action or set-off against the owner for all costs actually and necessarily incurred or paid by him in complying with the order."

J.S.

- Amends s. 21.** **5.** Section 21 of said chapter 15 is amended by striking out subsection (3), and substituting therefor the following:—
 “(3.) The Judge shall hear and determine the matter of the appeal and shall make such order as seems meet to him, and his decision shall be final and conclusive, except that on a point of law an appeal shall lie to the Court of Appeal.”
- Amends s. 27.** **6.** Section 27 of said chapter 15 is amended by striking out all words after the word “building” in the sixth line, and substituting therefor the following: “pays the cost, he shall have a right of action or set-off against the owner for all such costs actually and necessarily incurred or paid by him in complying with this Part.”
- Amends s. 32.** **7.** (1.) Section 32 of said chapter 15 is amended by striking out subsections (3) and (4), and substituting therefor the following:—
 “(3.) The Provincial Collector at Victoria and the Superintendent shall pay all moneys received by them respectively under this Act into the Provincial Treasury to the credit of an account to be known as the ‘Fire Marshal Act Fund,’ and the money at the credit of the account shall be paid out by the Minister of Finance for the purposes of this Act only. If at any time there are not sufficient moneys at the credit of the account to meet the expenses chargeable thereto, the Minister of Finance may loan to the account from the Consolidated Revenue Fund the amount necessary, which amount shall be repayable from the account, with interest at such rate as the Minister of Finance may prescribe.
 “(4.) The Superintendent shall keep a separate account showing the moneys received under this section and the moneys expended in administration under this Act, in such manner as may be required for the information of the Lieutenant-Governor in Council in fixing the rate of contribution under this section.”
- Retrospective.** (2.) The surplus of moneys received by way of revenue over the expenses of administration under this Act up to the time of the coming into operation of this section shall be determined by the Comptroller-General, and the amount shall be paid by the Minister of Finance from the Consolidated Revenue Fund to the credit of the Fire Marshal Act Fund constituted under this section.

VICTORIA, B.C.:

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 1923.